

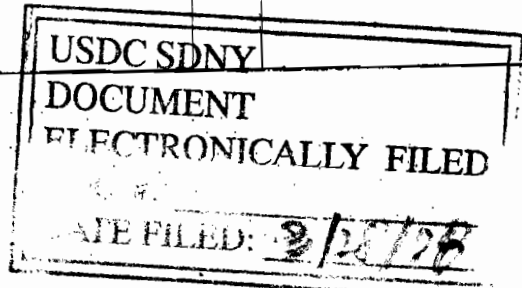
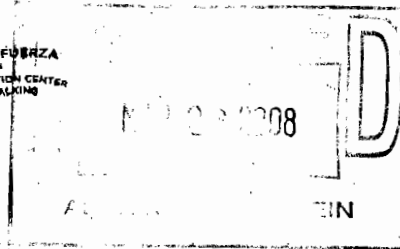
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March 26, 2008

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007
Fax: 212-805-7942

Re: Matos v. 738 Restaurant Corp. et al, 08-CV-979 (AKH)(THK)

Dear Judge Hellerstein,

I represent the plaintiffs in the above-titled action. An initial conference in this matter has been scheduled for April 4, 2008 at 9:30 a.m. I am writing to inquire as to whether Your Honor would prefer to adjourn the initial conference to allow time for the parties to comply with Rule 26(f).

We filed this case on January 31, 2008. Both individual defendants have missed their deadlines to answer and are in default. The corporate defendants' answers are due April 6. We served the Notice of Court Conference on the individual defendants via UPS Ground on March 21, 2008, along with letters requesting that Defendants or their counsel contact us directly. These letters were delivered on March 24, 2007. As of today we have received no communication from Defendants, nor any indication that they have retained counsel or plan to appear in this action. We plan to move for a default judgment against all defendants if and when the corporate defendants default on their time to answer.

In light of this, we would like to inquire as to whether Your Honor would prefer to adjourn the initial conference. We are also prepared to appear on April 4 if Your Honor believes that a conference would be productive. Please advise us as to your preferred course of action.

Thank you very much for your attention to this matter.

Warm Regards,

Elizabeth Wagoner
718-565-8103 x25

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The conf will proceed as scheduled. Pl may move for defaults if defts do not appear.
3-27-08
Alvin Hellerstein

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